

DOCKET NO: CV18-6036319-S

ÉTOURDISSANT LLC

v.

TOWN OF GREENWICH PLANNING
AND ZONING BOARD OF APPEALS

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)
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)
)

JUDICIAL DISTRICT OF
STAMFORD/ NORWALK

AT STAMFORD

June 22, 2018

MOTION FOR JUDGMENT IN ACCORDANCE WITH STIPULATION

Pursuant to Connecticut General Statutes Section 8-8(n), Plaintiff in the subject appeal hereby moves the Court to enter a judgment in accordance with the Stipulation of Settlement between the parties dated June 14, 2018, a copy of which is attached hereto as Exhibit A.

Dated at Greenwich, Connecticut, this 22nd day of June, 2018.

ÉTOURDISSANT LLC, the Plaintiff

By:



Christopher D. Bristol, Esq.
Commissioner of the Superior Court

ORDER

The foregoing motion, having been heard by the Court, is hereby ordered:

GRANTED / DENIED.

BY THE COURT

Judge / Clerk

EXHIBIT A

DOCKET NO. CV18-6036319-S

ÉTOURDISSANT LLC)	JUDICIAL DISTRICT OF
)	STAMFORD/ NORWALK
v.)	
)	AT STAMFORD
TOWN OF GREENWICH PLANNING)	
AND ZONING BOARD OF APPEALS)	June <u>14</u> , 2018

STIPULATION OF SETTLEMENT

WHEREAS, the captioned matter, docket number CV18-6036319-S, is currently pending before the court;

WHEREAS, Plaintiff is the applicant of a Special Exception application (PLZE 20170694) (the "Application") concerning property located at 50 Chestnut Street, Greenwich, Connecticut 06840 (the "Property");

WHEREAS, the Property is an approximately 5.9 acre parcel in the GB commercial zone located at the terminus of Chestnut Street to the north and Byram Road to the east improved with an approximately 61,000 square foot warehouse building;

WHEREAS, Plaintiff filed the Application with the Town of Greenwich Planning and Zoning Board of Appeals (the "Defendant") to use approximately 25,000 square feet of the building for storage and detailing of exotic, antique and collector's motor vehicles;

WHEREAS, Section 6-100 of the Regulations the proposed use is permitted in the zone with subject to obtaining Special Exception approval from the Defendant;

WHEREAS, a public hearing was held by the Defendant on the Application on April 16, 2018;

WHEREAS, at said public hearing, the Application was denied, which denial is described in the Defendant's decision letter dated April 16, 2018;

WHEREAS, Plaintiff timely commenced the captioned appeal; and

WHEREAS, the parties hereto desire to settle this matter pursuant to the terms and conditions of this Stipulation of Settlement.

NOW, THEREFORE, the parties stipulate and agree as follows:

1. The Special Exception is hereby granted pursuant to the terms and conditions hereof.
2. The number of stored cars will be limited to 296.
3. Access to the Building will only be from Byram Road on the east side of the Property.
4. There will be no more than an average of fifty (50) cars leaving the Property per day computed on an annual basis; with a cap of no more than sixty-five (65) cars leaving the Property on any single day.
5. There will be a right turn only exit from the Property onto Byram Road.

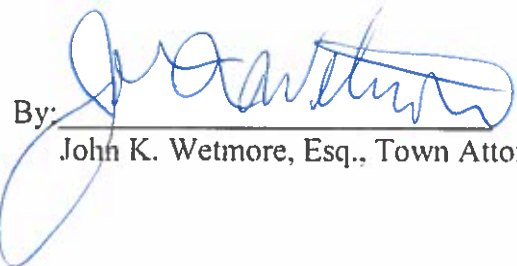
6. This court shall retain jurisdiction concerning any disputes the parties may have regarding the implementation and performance of this Stipulation of Settlement.
7. Upon approval of this Stipulation of Settlement pursuant to a hearing under Connecticut General Statutes Section 8-8(n), Plaintiff will promptly withdraw this appeal.

Dated at Greenwich, Connecticut, this 14th day of June, 2018.

ÉTOURDISSANT LLC, Plaintiff

By: 
John P. Teser, Esq., its attorney

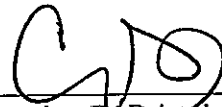
TOWN OF GREENWICH PLANNING
AND ZONING BOARD OF APPEALS,
Defendant Board

By: 
John K. Wetmore, Esq., Town Attorney

CERTIFICATION

This is to certify that a copy of the foregoing was mailed, postage prepaid, this 22nd day of
June, 2018 to:

John K. Wetmore, Esq.
Greenwich Town Attorney
Town Hall
101 Field Point Road
Greenwich, Connecticut 06830



Christopher D. Bristol, Esq.
Commissioner of the Superior Court